

## Department of Energy

## § 470.14

local officials, the appropriate technology community and other interested parties.

### § 470.13 Program solicitation.

(a) The Regional Program Managers shall be responsible for the preparation of program solicitations which solicit proposals for support under the program pursuant to simplified application procedures. Projects may be supported under the program only if they have successfully completed under a program solicitation.

(b) Each program solicitation shall include—

- (1) A description of the program;
- (2) The eligibility requirements;
- (3) A time schedule for submission of, and action on, proposals;
- (4) A simple application form for submitting a proposal for support under the program, together with instructions for completing the application form;
- (5) Evaluation criteria, along with a narrative description of their relative importance;
- (6) An explanation of the evaluation and selection procedures, including a notice to proposers that if the proposer expressly indicates that only Government evaluation is authorized, DOE may be unable to give full consideration to the proposal.
- (7) Other applicable information, terms and conditions, including the desired budget format;
- (8) Place for, and manner of, submission;
- (9) A unique number for identification purposes;
- (10) A statement notifying potential proposers that an announcement does not commit DOE to pay any proposal preparation costs and that DOE reserves the right to select for support any, all, or none of the proposals received in response to a solicitation;
- (11) A late proposal provision;
- (12) A statement notifying proposers how to identify information in the proposal which the proposer does not want disclosed for purposes other than the evaluation of the proposal.
- (13) A statement notifying proposers that all information contained in the proposal shall be handled in accordance with the policies and procedures set

forth in DOE-AR and DOE-PR, as applicable, and disclosed, if appropriate, in accordance with 10 CFR part 1004 entitled "Freedom of Information."

(14) A statement notifying proposers of their right to request a debriefing pursuant to the procedures set forth in § 470.18; and

(15) A statement notifying proposers of their right to request a waiver of DOE's title to inventions made under the program.

(c) Each program solicitation shall be synopsisized in the *Commerce Business Daily* prior to or concurrent with release. The program solicitation also shall be announced to appropriate newspapers, trade and technical publications, and State and local governments, and shall be circulated directly to interested individuals, entities, and associations thereof, to the maximum extent feasible.

### § 470.14 Evaluation and selection.

(a) Prior to making a comprehensive evaluation of a proposal, the receiving office shall determine that it contains sufficient technical, cost, and other information to enable comprehensive evaluation and that it has been properly signed. If the proposal does not meet these requirements, a prompt reply shall be sent to the proposer, indicating the reason(s) for the proposal not being selected for support under the program solicitation. A proposer may correct any minor informality or irregularity or apparent clerical mistake prior to the entering into of grants, contracts, or cooperative agreements. A minor informality or irregularity is one which is merely a matter of form and not of substance or pertains to some immaterial or inconsequential defect or variation from the exact requirements of the program announcement.

(b)(1) The Regional Program Manager shall select a number of technical evaluation reviewers representing several disciplines to ensure adequate technical review of proposals.

(2) After receiving nominations from each State or combinations of States within the Region, the Program Manager shall select a number of State reviewers for each State or combinations